

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT**

IN RE:

PAMELA DENISE DAVIS,

DEBTOR.

CHAPTER 13

CASE NO. 14-50837-PJS

JUDGE PHILLIP J. SHEFFERLY

**TRUSTEE'S OBJECTION TO THE PROOF OF CLAIM FILED ON BEHALF OF
REAL TIME RESOLUTIONS, INC AS AGENT FOR CHECK N GO
(PACER CLAIM NO. 8-2)**

NOW COMES the Chapter 13 Standing Trustee in this matter, David Wm. Ruskin, and objects to the Proof of Claim filed on behalf of Real Time Resolutions, Inc as agent for Check N Go (PACER Claim No. 8-2), and in support thereof states as follows:

1. The Court "Amended Proof of Claim" filed by Real Time Resolutions, Inc as agent for Check N Go, does not appear to "amend" the claim in any way. The only alteration between Claim 8-1 and the "amended" Claim 8-2 is a change in the name of the creditor. It appears that the "Amended Proof of Claim" is not intended to amend the Proof of Claim, but it is instead intended to effectuate a transfer of the claim from Check N Go to Real Time Resolutions, Inc., without complying with the requirements of Federal Rule of Bankruptcy Procedure Rule 3001(e) including the notice requirement set forth in Rule 3001(e)(2). Further, the filing of an "amended" Proof of Claim to effectuate a transfer of the claim appears to be an effort to circumvent the fee for filing a Transfer of Claim imposed by the Judicial Conference of the United States courts pursuant to 28 U.S.C. Section 1930.

2. The amended Proof of Claim filed by Real Time Resolutions, Inc., (PACER CLAIM NO. 8-2), fails to attach any documentation to indicate that Real Time Resolutions, Inc., is "agent for" Check N Go.

WHEREFORE, the Chapter 13 Standing Trustee requests that this Honorable Court disallow the Proof of Claim filed on behalf of Real Time Resolutions, Inc as agent for Check N Go (PACER Claim No. 8-2) on April 3, 2015 in its entirety, and grant any further and other relief as this Court deems equitable and just, including entering an Order absolving the Trustee from any duty to recoup disbursements previously made to Real Time Resolutions, Inc as agent for Check N Go.

OFFICE OF DAVID WM. RUSKIN,
STANDING CHAPTER 13 TRUSTEE

Dated: July 1, 2015

By: /s/ Thomas D. DeCarlo

LISA K. MULLEN (P55478)

THOMAS D. DECARLO (P65330)

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(PROPOSED)

**ORDER DISALLOWING THE PROOF OF CLAIM FILED ON BEHALF OF
REAL TIME RESOLUTIONS, INC AS AGENT FOR CHECK N GO
(PACER CLAIM NO. 8-2)**

This matter came on for hearing upon the Objection to Proof of Claim filed by the Chapter 13 Standing Trustee pursuant to L.B.R. 3007-1 (E.D.M.), the Objection having been served with the Notice of Objection to Claim in accordance with the local bankruptcy rules, the requisite time for a response having passed, no response to the Objection having been timely filed and served, and the Court being otherwise sufficiently advised in the premises;

IT IS HEREBY ORDERED that the Proof of Claim filed on behalf of Real Time Resolutions, Inc as agent for Check N Go (PACER Claim No. 8-2) on April 3, 2015, in the amount of \$701.45 is disallowed;

IT IS HEREBY FURTHER ORDERED that to the extent that the Chapter 13 Standing Trustee has previously made disbursements to such Creditor, the Trustee shall not be obligated to recoup the same.

EXHIBIT 1

UNITED STATES BANKRUPTCY COURT
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CHAPTER 13

CASE NO. 14-50837-PJS

JUDGE PHILLIP J. SHEFFERLY

AKA or DBA (if any):

Pamela D Davis

Pamela Davis

Address(es):

16950 Lexington

Redford, MI 48240-0000

Social Security Number(s):

Employer's Tax Identification (EIN) No(s). (if any):

**NOTICE OF OBJECTION TO CLAIM FILED ON BEHALF OF REAL TIME RESOLUTIONS, INC AS AGENT FOR
CHECK N GO (PACER CLAIM NO. 8-2)**

The Chapter 13 Standing Trustee has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or denied. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to deny or change your claim, then on or before August 11, 2015, you or your lawyer must:

1. File with the court a written response to the objection, explaining your position, at:

U.S. Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date stated above.

You must also mail a copy to:

The Fresh Start Center Law Firm, D/B/A Kostopoulos & Associates PLLC, 30800 Van Dyke Suite 204
Warren, MI 48093
David Wm. Ruskin, 26555 Evergreen Rd., Ste 1100, Southfield, MI 48076
REAL TIME RESOLUTIONS, INC AS AGENT FOR CHECK N GO, PO BOX 566027, DALLAS, TX
75356-6027

2. Attend the hearing on the objection, scheduled to be held on August 18, 2015 at 9:00 a.m., in Courtroom 1975, United States Bankruptcy Court, 211 W. Fort Street, Detroit, Michigan, unless your attendance is excused by mutual agreement between yourself and the objector's attorney. (Unless the matter is disposed of summarily as a matter of law, the hearing shall be a pre-trial conference only; neither testimony nor evidence will be received. A pre-trial scheduling order may be issued as a result of the pre-trial conference.)

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim, in which event the hearing will be canceled, and the objection sustained.

OFFICE OF DAVID WM. RUSKIN,
STANDING CHAPTER 13 TRUSTEE

Dated: July 1, 2015

By: /s/ Thomas D. DeCarlo

LISA K. MULLEN (P55478)
THOMAS D. DECARLO (P65330)
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**CERTIFICATE OF SERVICE OF TRUSTEE'S OBJECTION TO THE PROOF OF CLAIM
FILED ON BEHALF OF REAL TIME RESOLUTIONS, INC AS AGENT FOR CHECK N GO
(PACER CLAIM NO. 8-2)**

I hereby certify that on July 1, 2015, I electronically filed the Trustee's Objection to the Proof of Claim filed on behalf of Real Time Resolutions, Inc as agent for Check N Go (PACER Claim No. 8-2) With (Proposed) Order Disallowing the Proof of Claim filed on behalf of Real Time Resolutions, Inc as agent for Check N Go (PACER Claim No. 8-2), Notice of Objection to Claim filed on behalf of Real Time Resolutions, Inc as agent for Check N Go (PACER Claim No. 8-2) and Certificate of Service with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

The following parties were served electronically:

THE FRESH START CENTER LAW FIRM
D/B/A KOSTOPOULOS & ASSOCIATES PLLC
30800 VAN DYKE SUITE 204
WARREN, MI 48093

The following parties were served via First Class Mail at the addresses below by depositing same in a United States Postal Box with the lawful amount of postage affixed thereto:

PAMELA DENISE DAVIS
16950 LEXINGTON
REDFORD, MI 48240-0000

REAL TIME RESOLUTIONS, INC
AS AGENT FOR CHECK N GO
PO BOX 566027
DALLAS, TX 75356-6027

/s/ Jayme L. DePriest

Jayme L. DePriest
For the Office of the Chapter 13 Standing Trustee-Detroit
1100 Travelers Tower
26555 Evergreen Road
Southfield, MI 48076-4251
(248) 352-7755